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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MYKAYLA FAGNANI, *On Behalf of Herself
and All Other Persons Similarly Situated*,

Plaintiff,

-against-

NUTRACEUTICAL WELLNESS, INC.,

Defendant.

1:24-cv-6821 (MKV)

ORDER OF DISMISSAL

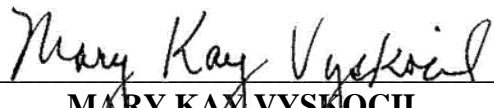
MARY KAY VYSKOCIL, United States District Judge:

The Court has been informed by the parties that they have reached a settlement in principle. [ECF No. 12]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by February 24, 2025. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

The Clerk of Court is respectfully requested to terminate the motion pending at docket entry 12.

SO ORDERED.

**Date: January 23, 2025
New York, NY**



MARY KAY VYSKOCIL
United States District Judge